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Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:	)	Case No. 12-12020 (MG)
	)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,	)	Chapter 11
	)	
Debtors.	)	Jointly Administered
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**PROPOSED SECOND AMENDED<sup>1</sup> AGENDA FOR MATTERS SCHEDULED  
TO BE HEARD ON JULY 10, 2012 AT 10:00 A.M. (EST)**

Location of Hearing: United States Bankruptcy Court for the Southern District of New York,  
Alexander Hamilton U.S. Custom House, Courtroom 501, One Bowling Green, New York, NY  
10004-1408

**I. ADJOURNED MATTERS**

1. Debtors' Motion For Interim And Final Orders Under Bankruptcy Code Sections  
105(a) And 363 Authorizing The Debtors To Continue To Perform Under The Ally Bank  
Bank Servicing Agreements In The Ordinary Course Of Business [Docket No. 47]

**Related Documents:**

- a. Interim Order Pursuant to Sections 105(a) and 363 of the Bankruptcy Code  
Authorizing the Debtors to Continue to Perform Under the Ally Bank  
Servicing Agreement in the Ordinary Course of Business [Docket No. 90]

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<sup>1</sup> Amended items appear in **bold**.

- b. Declaration of Matthew Detwiler In Support of Debtors' Ally Servicing Motion [Docket No. 366]
- c. Notice of Filing of Amended Proposed Final Order Pursuant to Sections 105(a) and 363 of the Bankruptcy Code Authorizing the Debtors to Continue to Perform Under the Ally Bank Servicing Agreements in the Ordinary Course of Business [Docket No. 398]

**Responses Received:**

- a. Reservation of Rights to Debtors' Motions for Continued Servicing and Origination [Docket No. 218]
- b. Limited Objection And Reservation Of Rights Of The Official Committee Of Unsecured Creditors To The Debtors' (I) Origination Motion And (II) Ally Servicing Motion [Docket No. 303]
- c. Ally Financial Inc.'s and Ally Bank's Reply to Creditors' Committee's Limited Objection to (A) The Debtors' Motion Authorizing the Debtors to Continue to Perform Under the Ally Bank Servicing Agreement in the Ordinary Course of Business and (B) The Debtors' Origination Motion [Docket No. 385]

**Filed Replies:**

- a. Debtors' Reply to the Limited Objection and Reservation of Rights of the Official Committee of Unsecured Creditors to the Debtors' (I) Origination Motion and (II) Ally Servicing Motion [Docket No. 367]

**Status:** The hearing on this matter is being adjourned to July 24, 2012.

- 2. Motion of Shellpoint Partners LLC f/k/a Shellpoint Mortgage LLC and New Penn Financial, LLC for Entry of an Order Modifying the Automatic Stay to Effectuate Termination Notice [Docket No. 182]

**Related Documents:**

- a. Notice of Hearing on Motion of Shellpoint Partners LLC f/k/a Shellpoint Mortgage LLC and New Penn Financial, LLC for Entry of an Order Modifying the Automatic Stay to Effectuate Termination Notice [Docket No. 184]

**Responses Received:** None.

**Status:** The hearing on this matter is being adjourned to July 24, 2012.

3. Motion of Aurora Bank, FSB for Order Pursuant to Section 362(d) of the Bankruptcy Code, Bankruptcy Rule 4001 and Local Bankruptcy Rule 4001-1 Modifying the Automatic Stay to Allow Continuation of Pre-Petition Litigation [Docket No. 451]

**Related Documents:**

- a. Notice of Hearing on Motions to Lift the Stay [Docket No. 515]
- b. Notice of Adjournment of Hearing Scheduled for July 10, 2012 on Movant's Motion for Order Modifying the Automatic Stay to Allow Continuation of Pre-Petition Litigation (Doc 451) Until July 24, 2012 at 10 A.M. [Docket No. 660]

**Responses Received:** None.

**Status:** The hearing on this matter is being adjourned to July 24, 2012.

4. Mary Gardner's Motion for Relief from Stay [Docket No. 462]

**Related Documents:**

- a. Notice of Hearing on Motions to Lift the Stay [Docket No. 515]

**Responses Received:**

- a. Debtors' Omnibus Objection to Motions for Relief from the Automatic Stay Scheduled for Hearing on July 10, 2012 [Docket No. 682]

**Status:** The hearing on this matter is being adjourned to July 24, 2012.

5. Motion [of Corla Jackson] for Relief from Stay [Docket No. 264]

**Related Documents:**

- a. Notice of Hearing on Motions to Lift the Stay [Docket No. 515]

**Responses Received:**

- a. Debtors' Omnibus Objection to Motions for Relief from the Automatic Stay Scheduled for Hearing on July 10, 2012 [Docket No. 682]

**Status:** The hearing on this matter is being adjourned to August 14, 2012.

6. Gilbert Motion to Dismiss Chapter 11 Case or, in the Alternative, Motion for Relief from the Automatic Stay to Permit the Gilbert Litigation Now Pending the U.S. Court of Appeals for the Fourth Circuit to Proceed in the Federal Courts and Motion Seeking Damages for Willful Violation of the Automatic Stay Pursuant to 11 U.S.C. § 362(h) [Docket No. 274]

**Related Documents:**

- a. Notice of Hearing on Gilbert Motion to Dismiss Chapter 11 Case or, in the Alternative, Motion for Relief from the Automatic Stay to Permit the Gilbert Litigation Now Pending the U.S. Court of Appeals for the Fourth Circuit to Proceed in the Federal Courts and Motion Seeking Damages for Willful Violation of the Automatic Stay Pursuant to 11 U.S.C. Section 362(H) [Docket No. 275]
- b. [Proposed] Order Dismissing Chapter 11 Bankruptcy Case for Cause [Docket No. 280]
- c. [Proposed] Order Modifying the Automatic Stay to Permit the Gilbert Litigation to Proceed in the United States Court of Appeals for the Fourth Circuit [Docket No. 314]
- d. [Proposed] Order Modifying the Automatic Stay to Permit the Gilbert Litigation to Proceed in the United States Court of Appeals for the Fourth Circuit [Docket No. 315]

**Responses Received:**

- a. **Limited Objection of Citibank, N.A. to Gilbert Motion to Dismiss Chapter 11 Bankruptcy for Cause, or, in the Alternative, Motion for Relief from the Automatic Stay to Permit the Gilbert Litigation Now Pending the U.S. Court of Appeals for the Fourth Circuit to Proceed in the Federal Courts and Motion Seeking Damages for Willful Violation of the Automatic Stay Pursuant to 11 U.S.C. § 362(h) [Docket No. 661]**
- b. Debtors' Omnibus Objection to Motions for Relief from the Automatic Stay Scheduled for Hearing on July 10, 2012 [Docket No. 682]

**Status:** The hearing on this matter is being adjourned to July 24, 2012.

- 7. Order Under 1 U.S.C. §§ 105, 363(b) and 365 (I) Authorizing and Approving Sale Procedures, Including Payment of Break-Up Fees; (II) Scheduling Bid Deadline, Auction (If Necessary) and Sale Hearing; (III) Establishing Assumption and Assignment Procedures, Including Procedures for Fixing Cure Amounts; and (IV) Establishing Notice Procedures and Approving Forms of Notice [Docket No. 538]

**Related Documents:** None.

**Responses Received:**

- a. Limited Objection of Certain Trustees for Residential Mortgage Backed Securities Trusts to Debtors Motion Pursuant to 11 U.S.C. Sections 105, 363(B), (F), and (M), 365 and 1123, and Fed R. Bankr. P. 2002, 6004, 6006, and 9014 for Orders: (A)(I) Authorizing and Approving Sale

Procedures, Including Break-Up Fee and Expense Reimbursement; (II) Scheduling Bid Deadline and Sale Hearing; (III) Approving Form and Manner of Notice Thereof; and (IV) Granting Related Relief and (B)(I) Authorizing the Sale of Certain Assets Free and Clear of Liens, Claims, Encumbrances, and Other Interests; (II) Authorizing and Approving Asset Purchase Agreements Thereto; (III) Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases Related Thereto; and (I) Granting Related Relief [Docket No. 291]

- b. Joinder of Wells Fargo Bank, N.A., as Master Servicer for Residential Mortgage Backed Securities Trusts to (a) Limited Objection of Certain Trustees for Residential Mortgage Backed Securities Trusts to Debtors' Motion Pursuant to 11 U.S.C. §§ 105, 363(b), (f), and (m), 365 and 1123 and Fed. R. Bankr. P. 2002, 6004, 6006, and 9014 for Orders: (A)(I) Authorizing and Approving Sale Procedures, Including Break-Up Fee and Expense Reimbursement; (II) Scheduling Bid Deadline and Sale Hearing; (III) Approving Form and Manner of Notice Thereof; and (IV) Granting Related Relief and (B)(I) Authorizing the Sale of Certain Assets Free and Clear of Liens, Claims, Encumbrances, and Other Interests; (II) Authorizing and Approving Asset Purchase Agreements Thereto; (III) Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases Related Thereto; and (IV) Granting Related Relief; and (b) Limited Objection of Certain Trustees for Residential Mortgage Backed Securities Trusts to the Debtors Postpetition Financing Motions [Docket No. 292]

**Status:** The initial hearing on this matter took place on June 18, 2012. The Limited Objection of Certain Trustees for Residential Mortgage Backed Securities [Docket No. 291] to the Sale Motion and the Joinder of Wells Fargo, Inc., N.A. as Master Servicer to such limited objection [Docket No. 292] were adjourned by the Sales Procedures Order [Docket No. 538] to this hearing date. The status conference on this matter is being further adjourned to July 24, 2012.

## **II. STATUS CONFERENCE**

1. Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 320]

### **Related Documents:**

- a. Notice of Filing of Corrected Exhibit 6 to Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements [Docket No. 321]

- b. Amended Notice of Hearing on Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 322]
- c. Notice of Filing of Corrected Exhibit 5 to Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements [Docket No. 328]
- d. Second Amended Notice of Hearing on Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Settlement Agreements [Docket No. 392]
- e. Notice of Initial Case Conference Regarding (I) Debtors' Motion for Entry of an Order Under Bankruptcy Rule 6006 Authorizing the Debtors to Assume Plan Support Agreements with Steering Committee Consenting Claimants, (II) Debtors' Motion for Entry of an Order Under Bankruptcy Code Section 365 and Bankruptcy Rule 6006 Authorizing the Debtors to Assume Plan Support Agreements with Talcott Franklin Consenting Claimants, and (III) Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 473]
- f. Notice of Adjournment of Hearing and Extension of Objection Deadline on RMBS Trust Settlement and Plan Support Agreements to Times and Dates To Be Determined [Docket No. 519]

**Responses Received:**

- a. Objection [of Triaxx] to Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements [Docket No. 481]

**Status:** The status conference on this matter will be going forward.

**III. CONTESTED MATTERS**

- 1. Motion [of NACBA, Edward Boltz, William Johnson and Crystal Johnson] for Limited Relief from the Automatic Stay to Permit Borrowers to Assert Claims, Counterclaims and Defenses in Individual Bankruptcies and Requesting Permission to Make Such a Motion on Shortened Notice [Docket No. 222]

**Related Documents:**

- a. Notice of Hearing on Motion [of NACBA, Edward Boltz, William Johnson and Crystal Johnson] for Limited Relief from the Automatic Stay to Permit Borrowers to Assert Claims, Counterclaims and Defenses in Individual Bankruptcies and Requesting Permission to Make Such a Motion on Shortened Notice [Docket No. 404]

**Responses Received:** None.

**Status:** Resolved.

2. Motion [of the Maine Action Plaintiffs] for Limited Relief from the Automatic Stay to Permit the Issuance of a Decision by the Maine Supreme Court in the Maine Action and Requesting Permission to Make Such a Motion on Shortened Notice [Docket No. 224]

**Related Documents:**

- a. Notice of Hearing on Motion [of the Maine Action Plaintiffs] for Limited Relief from the Automatic Stay to Permit the Issuance of a Decision by the Maine Supreme Court in the Maine Action and Requesting Permission to Make Such a Motion on Shortened Notice [Docket No. 405]

**Responses Received:** None.

**Status:** Resolved.

3. Movants' Motion for Order for Relief from Stay Authorizing Debtor(s) to Honor Certain Prepetition Obligations to Movants (filed by Mark & Lori Burris) [Docket No. 245]

**Related Documents:**

- a. Notice of Hearing on Motions to Lift the Stay [Docket No. 515]

**Responses Received:**

- a. Debtors' Omnibus Objection to Motions for Relief from the Automatic Stay Scheduled for Hearing on July 10, 2012 [Docket No. 682]

**Status:** The hearing on this matter will be going forward.

4. Motion [of Kenneth Taggart] for Leave to File Motion Pursuant Stay & Relief (and Clarification from Bankruptcy Court) [Docket No. 263]

**Related Documents:**

- a. Notice of Hearing on Motions to Lift the Stay [Docket No. 515]

**Responses Received:**

- a. Debtors' Omnibus Objection to Motions for Relief from the Automatic Stay Scheduled for Hearing on July 10, 2012 [Docket No. 682]

**Status:** The hearing on this matter will be going forward.

5. Motion [of Yvonne D. and Sidney T. Lewis] for Relief from Stay [Docket No. 456]

**Related Documents:**

- a. Notice of Hearing on Motions to Lift the Stay [Docket No. 515]

**Responses Received:**

- a. Debtors' Omnibus Objection to Motions for Relief from the Automatic Stay Scheduled for Hearing on July 10, 2012 [Docket No. 682]

**Status:** The hearing on this matter will be going forward.

6. Debtors' Motion for Supplemental Order Under Bankruptcy Code Sections 105(a), 362, 363, 502, 1107(a) and 1108 and Bankruptcy Rule 9019 (I) Authorizing the Debtors to Continue Implementing Loss Mitigation Programs; (II) Approving Procedures for Compromise and Settlement of Certain Claims, Litigations and Causes of Action; (III) Granting Limited Stay Relief to Permit Foreclosure and Eviction Proceedings, Borrower Bankruptcy Cases, and Title Disputes to Proceed; and (IV) Authorizing and Directing the Debtors to Pay Securitization Trustee Fees and Expenses [Docket No. 181]

**Related Documents:**

- a. Motion Pursuant to Fed. R. Bankr. P. 9006 and Local Bankruptcy Rules 9006-1 and 9077 for Entry of an Order Shortening the Time for Notice of and Scheduling a Hearing to Consider the Debtors' Motion for Supplemental Order Under Bankruptcy Code Sections 105(a), 362, 363, 502, 1107(a) and 1108 and Bankruptcy Rule 9019 (I) Authorizing the Debtors to Continue Implementing Loss Mitigation Programs; (II) Approving Procedures for Compromise and Settlement of Certain Claims, Litigations and Causes of Action; (III) Granting Limited Stay Relief to Permit Foreclosure and Eviction Proceedings, Borrower Bankruptcy Cases, and Title Disputes to Proceed; and (IV) Authorizing and Directing the Debtors to Pay Securitization Trustee Fees and Expenses [Docket No. 180]
- b. Order Pursuant to Fed. R. Bankr. P. 9006 and Local Bankruptcy Rule 9006-1 and 9077 Shortening the Time for Notice of and Scheduling a hearing to consider the Debtors' Motion for Supplemental Order (1) Authorizing the Debtors to Continue implementing Loss Mitigation Programs; (II) Approving Procedures for Compromise and Settlement of Certain Claims, Litigations and Causes of Action; (III) Granting Limited Stay Relief to Permit Foreclosure and Eviction Proceedings, Borrower Bankruptcy Cases, and Title Disputes to Proceed; and (IV) Authorizing and Directing the Debtors to Pay Securitization Trustee Fees and Expenses [Docket No. 183]



- c. Declaration of Joseph A. Pensabene in Support of Debtors' GA Servicing Motion, Non-GA Servicing Motion and Supplemental Servicing Motion [Docket No. 256]
- d. Supplemental Order for Interim Relief Under Bankruptcy Code Sections 105(a), 362, 363, 502, 1107(a) and 1108 and Bankruptcy Rule 9019 (I) Authorizing the Debtors to Continue Implementing Loss Mitigation Programs; (II) Approving Procedures for Compromise and Settlement of Certain Claims, Litigations and Causes of Action; (III) Granting Limited Stay Relief to Permit Foreclosure and Eviction Proceedings, Borrower Bankruptcy Cases, and Title Disputes to Proceed; and (IV) Authorizing and Directing the Debtors to Pay Securitization Trustee Fees and Expenses [Docket No. 391]
- e. Notice of Filing of Proposed Final Supplemental Order Under Bankruptcy Code Sections 105(a), 362, 363, 502, 1107(a) and 1108 and Bankruptcy Rule 9019 (I) Authorizing the Debtors to Continue Implementing Loss Mitigation Programs; (II) Approving Procedures for Compromise and Settlement of Certain Claims, Litigations and Causes of Action; (III) Granting Limited Stay Relief to Permit Foreclosure and Eviction Proceedings, Borrower Bankruptcy Cases, and Title Disputes to Proceed; and (IV) Authorizing and Directing the Debtors to Pay Securitization Trustee Fees and Expenses [Docket No. 544]

**Responses Received:**

- a. Limited Omnibus Objection [of NACBA, Edward Boltz, William Johnson and Crystal Johnson] to the Servicing Orders and Debtors' May 31, 2012 Motion for a Supplemental Order [Docket No. 221]
- b. Limited Objection to the Servicing Orders and Debtors' May 31, 2012 Motion for a Supplemental Order [Docket No. 223]
- c. Omnibus Response and Reservation of Rights of the Official Committee of Unsecured Creditors to Certain of the Debtors' First Day Motions [Docket No. 240]
- d. Amended Objection [of Wendy Alison Nora] to Entry of Final Supplemental Order Under Bankruptcy Code Sections 105(a), 362, 363, 502, 1107(a) and 1108 and Bankruptcy Rule 9019 (I) Authorizing the Debtors to Continue Implementing Loss Mitigation Programs; (II) Approving Procedures for Compromise and Settlement of Certain Claims, Litigations and Causes of Action; (III) Granting Limited Stay Relief to Permit Foreclosure and Eviction Proceedings, Borrower Bankruptcy Cases, and Title Disputes to Proceed; and (IV) Authorizing and Directing the Debtors to Pay Securitization Trustee Fees and Expenses [Docket No. 546]

**Filed Replies:**

- a. Debtors' Reply to the Amended Objection of Wendy Alison Nora [Docket No. 698]
- b. Reply to Response of Debtors to Amended Objection to Entry of Final Supplemental Order Under Bankruptcy Code Sections 105(a), 362, 363, 502, 1107(a) and 1108 and Bankruptcy Rule 9019 (I) Authorizing the Debtors to Continue Implementing Loss Mitigation Programs; (II) Approving Procedures for Compromise and Settlement of Certain Claims, Litigations and Causes of Action; (III) Granting Limited Stay Relief to Permit Foreclosure and Eviction Proceedings, Borrower Bankruptcy Cases, and Title Disputes to Proceed; and (IV) Authorizing and Directing the Debtors to Pay Securitization Trustee Fees and Expenses [Docket No. 707]
- c. Amended Reply to Response of Debtors to Amended Objection to Entry of Final Supplemental Order Under Bankruptcy Code Sections 105(a), 362, 363, 502, 1107(a) and 1108 and Bankruptcy Rule 9019 (I) Authorizing the Debtors to Continue Implementing Loss Mitigation Programs; (II) Approving Procedures for Compromise and Settlement of Certain Claims, Litigations and Causes of Action; (III) Granting Limited Stay Relief to Permit Foreclosure and Eviction Proceedings, Borrower Bankruptcy Cases, and Title Disputes to Proceed; and (IV) Authorizing and Directing the Debtors to Pay Securitization Trustee Fees and Expenses [Docket No. 708]
- d. Motion to Withdraw Document 707 [Docket No. 711]

**Status:** The Limited Objection of NACBA, *et al.* [Docket 221] has been resolved. Debtors and Creditors Committee are negotiating a consensual order.

**IV. EVIDENTIARY HEARING – RESIDENTIAL CAPITAL, LLC, ET AL.  
v. ALLSTATE INSURANCE COMPANY, ET AL., ADV. PROC. NO.  
12-AP-01671 (MG)**

- 1. Debtors' Motion to Extend Automatic Stay or, in the Alternative, for Injunctive Relief Enjoining Prosecution of Certain Pending Litigation Against Debtors' Directors and Officers and Non-Debtor Corporate Affiliates [Docket No. 4]

**Related Documents:**

- a. Complaint [Docket No. 1]
- b. Declaration of Joel C. Haims [Docket No. 5]
- c. Declaration of Jeffrey A. Lipps [Docket No. 6]
- d. Declaration of James Whitlinger [Docket No. 7]

- e. Declaration of Anne Janiczek [Docket No. 8]
- f. Notice of Proposed Order Granting Debtors' Motion to Extend the Automatic Stay or in the Alternative, for Injunctive Relief [Docket No. 9]
- g. Summons with Notice of Pre-Trial Conference [Docket No. 12]
- h. Notice of Motion and Debtors' Motion to Extend Automatic Stay or, in the Alternative, for Injunctive Relief Enjoining Prosecution of Certain Pending Litigation Against Debtors' Directors and Officers and Non-Debtor Corporate Affiliates [Docket No. 13]
- i. Second Amended Notice of Debtors' Motion to Extend the Automatic Stay Or, in the Alternative, for Injunctive Relief Enjoining Prosecution of Certain Litigation Against Debtors' Directors and Officers and Non-Debtor Corporate Affiliates [Docket No. 15]
- j. Letter to Court Regarding Consent to Contact Judge Presiding over Certain Litigation Pending in the Ohio Court of Common Pleas [filed by Columbus Life Insurance Company, *et al.*] [Docket No. 33]
- k. Letter to the Honorable Martin Glenn from Andrew K. Glenn Confirming FHFA's Consent to Your Honor Contacting Judge Cote Concerning the FHFA Case and/or the Adversary Proceeding [Docket No. 34]
- l. Letter to the Court Regarding Consent to Contact Judge Swain in Connection with the Underlying FDIC Action [Docket No. 35]

**Responses Received:**

- a. Opposition of the FDIC to Debtors Motion to Extend the Automatic Stay or for Injunctive Relief [Docket No. 37]
- b. Objection of New Jersey Carpenters Health Fund to Debtors' Motion to Extend Automatic Stay or, in the Alternative, for Injunctive Relief Enjoining Prosecution of Certain Pending Litigation Against Debtors' Directors and Officers and Non-Debtor Corporate Affiliates [Docket No. 38]
- c. Declaration of Kathryn E. Matthews in Support of the FDIC's Opposition to Debtors' Motion to Stay or for Injunctive Relief [Docket No. 39]
- d. Joinder of Cambridge Place Investment Management Inc. to Objection of New Jersey Carpenters Health Fund to Debtors' Motion To Extend Automatic Stay or, in the Alternative, for Injunctive Relief Enjoining Prosecution of Certain Pending Litigation Against Debtors' Directors and Officers and Non-Debtor Corporate Affiliates [Docket No. 41]

- e. Joinder of Union Central Life Insurance Company, Ameritas Life Insurance Corp., and Acacia Life Insurance Company to Objection of New Jersey Carpenters Health Fund to Debtors' Motion To Extend Automatic Stay or, in the Alternative, for Injunctive Relief Enjoining Prosecution of Certain Pending Litigation Against Debtors' Directors and Officers and Non-Debtor Corporate Affiliates [Docket No. 42]
- f. Declaration of Michael S. Etkin [Docket No. 43]
- g. Motion [of Federal Housing Financing Agency] to Withdraw the Reference of the Above-Captioned Adversary Proceeding to the Bankruptcy Court [Docket No. 44]
  - (i) Memorandum of Law [of Federal Housing Financing Agency] in Support of Motion to Withdraw the Reference as to Defendant Federal Housing Finance Agency [Docket No. 46]
  - (ii) Defendant Federal Housing Finance Agency's Memorandum of Law (I) in Support of FHFA's Motion to Dismiss the Complaint for Lack of Jurisdiction and (II) in Opposition to Debtors' Motion to Extend Automatic Stay and to Enjoin Litigation against Non-Debtors [Docket No. 47]
  - (iii) Declaration of Kanchana Wangkeo Leung in Support of Defendant Federal Housing Finance Agency's (A) Memorandum of Law in Support of Motion to Withdraw the Reference as to Defendant Federal Housing Finance Agency and (B) Memorandum of Law (I) in Support of FHFA's Motion to Dismiss the Complaint for Lack of Jurisdiction and (II) in Opposition to Debtors' Motion to Extend Automatic Stay and to Enjoin Litigation Against Non-Debtors [Docket No. 48]
- h. The Western & Southern Defendants' Objection and Joinder in Opposition to the Debtors' Motion to Extend the Automatic Stay or Enjoin Prosecution of Certain Litigation [Docket No. 49]
- i. **Notice of Motion by the Federal Deposit Insurance Corporation, as Receiver for Citizens National Bank and as Receiver for Strategic Capital Bank, to Withdraw the Reference of This Adversary Proceeding to the Bankruptcy Court [Docket No. 68]**
  - (i) **Memorandum of Law in Support of the Motion by the Federal Deposit Insurance Corporation, as Receiver for Citizens National Bank and as Receiver for Strategic Capital Bank, to Withdraw the Reference of This**

**Adversary Proceeding to the Bankruptcy Court [Docket No. 69]**

**(ii) Declaration of Kathryn E. Matthews [Docket 70]**

**Related Documents:**

- a.** Stipulation and Proposed Order with Respect to Debtors' Motion to Extend the Automatic Stay or, in the alternative, for Injunctive Relief [Docket No. 51]

**Filed Replies:**

- a.** Debtors' Omnibus Reply in Further Support of Their Motion to Extend the Automatic Stay or, in the Alternative, for Injunctive Relief Enjoining Prosecution of Certain Litigation Against Debtors' Directors and Officers and Non-Debtor Corporate Affiliates [Docket No. 57]
- b.** Debtors' Reply in Support of Their Motion to extend the Automatic Stay, or in the Alternative, for Injunctive relief Enjoining Prosecution of Certain Litigation Against Debtors' Directors and Officers and Non-Debtor Corporate Affiliates [Docket No. 58]
- c.** Supplemental Declaration of Jeffrey A. Lipps [Docket No. 59]
- d.** Supplemental Declaration of Joel C. Haims [Docket No. 60]
- e.** Debtors' Reply in Support of Their Motion to extend the Automatic Stay, or in the Alternative, for Injunctive relief Enjoining Prosecution of Certain Litigation Against Debtors' Directors and Officers and Non-Debtor Corporate Affiliates [Docket No. 61]

**Status:** The evidentiary hearing on this matter will be going forward. Judge Denise Cote, United States District Court Judge for the Southern District of New York, entered an order on July 9, 2012 which ordered that the reference is withdrawn as to the Debtors' application to stay or enjoin litigation by Federal Housing Finance Agency only.

Dated: July 9, 2012  
New York, New York

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